

PTO/SB/82 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/038,676
Filing Date	December 31, 2001
First Named Inventor	Randolph S. Porubcan
Art Unit	1761
Examiner Name	C. Sayala
Attorney Docket Number	108-P002US

**I hereby revoke all previous powers of attorney given in the above-identified application.**☒ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners associated with the Customer Number: ☒ Please change the correspondence address for the above-identified application to:☐ The address associated with  
Customer Number: 

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Jeffrey L. Wendt				
Address	34 DriftOak Circle				
Address					
City	The Woodlands	State	Texas	Zip	77381
Country	USA				
Telephone	936-321-3856	Fax	936-321-3856		

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name	Alan T. Warren				
Signature					
Date	6/21/04			Telephone	281-367-7500

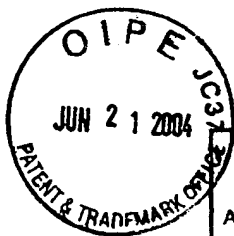
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Microbes, Inc.

Application No./Patent No.: 10/038,676 Filed/Issue Date: December 31, 2001

Entitled: Fertilizer Compositions and Methods of Making and Using Same

Microbes, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

6-11-04

Date

281-367-7500

Telephone number

Alan T. Warren

Typed or printed name

Alan T. Warren

Signature

Chief Operating Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Assignment of Invention**

WHEREAS, I, Randolph S. Porubcan of P.O. Box 540, Shakopee, Minnesota 55379, have invented certain new and useful improvements in: **Fertilizer Compositions and Methods of Making and Using Same** for which an application for Letters Patent was filed on December 31, 2001, having Serial No. 10/038,676;

WHEREAS, MICROBES INC. (hereinafter referred to as "ASSIGNEE") having a place of business at: 1330 Lake Robbins Drive, Suite 220, The Woodlands, TX 77380-3267, desires to acquire from Randolph S. Porubcan, the entire right, title and interest they have in and to said invention and in and to any Letters Patent that may be granted thereof in the United States and its territorial possessions, and any and all countries foreign to the United States of America;

NOW, THEREFORE, for valuable consideration, the receipt whereof is hereby acknowledged, I, by these presents do sell, assign and transfer unto said ASSIGNEE, all of my rights to the said invention in the United States and its territorial possessions and all countries foreign to the United States of America, and my entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof, and to any and all Letters Patent which may be granted therefor in all countries foreign to the United States.

I hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and Patent Office Officials in all countries foreign to the United States to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my entire right, title and interest in and to the same, for the use and behalf of said ASSIGNEE, its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this Assignment and sale not been made.

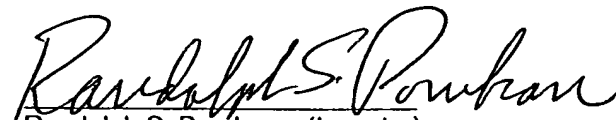
Further, I agree that I will communicate to said ASSIGNEE or its representatives any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions, and in all countries foreign to the United States.

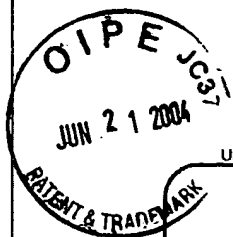
The undersigned hereby grants authorized representatives of the above identified ASSIGNEE the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

EXECUTED AT: Shakopee, MN

Date:

11/8/02

  
Randolph S. Porubcan, (Inventor)



PTO/SB/81 (09-03)

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**POWER OF ATTORNEY  
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CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/038,676
Filing Date	December 31, 2001
First Named Inventor	Randolph S. Porubcan
Title	Fertilizer Compositions
Art Unit	1761
Examiner Name	C. Sayala
Attorney Docket Number	108-P002US

I hereby appoint:

☐ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
Jeffrey L. Wendt	32,952

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR


☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Jeffrey L. Wendt				
	Address	34 DriftOak Circle				
	Address					
	City	The Woodlands	State	Texas	Zip	77381
	Country	USA				
	Telephone	936-321-3856	Fax	936-321-3856		

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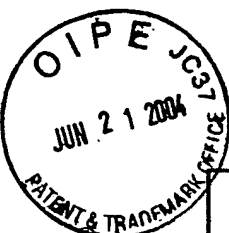
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Application No./Patent No.: 10/038,676 Filed/Issue Date: December 31, 2001

Entitled: Fertilizer Compositions and Methods of Making and Using Same

Microbes, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
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OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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6-11-04  
Date  
281-367-7500  
Telephone number

Alan T. Warren  
Typed or printed name  
  
Signature  
Chief Operating Officer  
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NOW, THEREFORE, for valuable consideration, the receipt whereof is hereby acknowledged, I, by these presents do sell, assign and transfer unto said ASSIGNEE, all of my rights to the said invention in the United States and its territorial possessions and all countries foreign to the United States of America, and my entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof, and to any and all Letters Patent which may be granted therefor in all countries foreign to the United States.

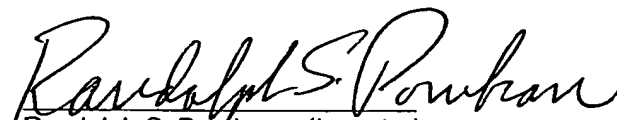
I hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and Patent Office Officials in all countries foreign to the United States to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my entire right, title and interest in and to the same, for the use and behalf of said ASSIGNEE, its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this Assignment and sale not been made.

Further, I agree that I will communicate to said ASSIGNEE or its representatives any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions, and in all countries foreign to the United States.

The undersigned hereby grants authorized representatives of the above identified ASSIGNEE the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

EXECUTED AT: Shakopee, MN

Date: 1/8/02

  
Randolph S. Porubcan, (Inventor)